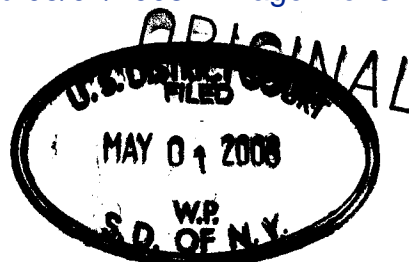


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



- - - - - x

UNITED STATES OF AMERICA :

- v. - :

INDICTMENT

ANTOINE WAGNER, :

S1 08 Cr. 199 (KMK)

Defendant. :

- - - - - x

COUNT ONE

The Grand Jury charges:

1. On or about January 10, 2008 in the Southern District of New York, ANTOINE WAGNER, the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, unlawfully, willfully, and knowingly, did possess in and affecting commerce a firearm, to wit, a Bryco 9MM handgun, Model Jennings Nine, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT TWO

The Grand Jury further charges:

2. On or about January 10, 2008 in the Southern District of New York, ANTOINE WAGNER, the defendant, unlawfully, wilfully, and knowingly possessed a firearm, to wit, a Bryco 9MM handgun, Model Jennings Nine, which had the importer's and manufacturer's serial number removed, obliterated and altered, and had, at some time, been shipped and transported in interstate

and foreign commerce.

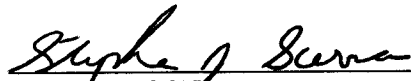
(Title 18, United States Code, Section 922(k).)

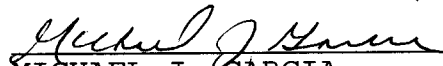
COUNT THREE

The Grand Jury further charges:

3. On or about January 10, 2008, in the Southern District of New York, ANTOINE WAGNER, the defendant, unlawfully, intentionally, and knowingly possessed with intent to distribute a Schedule II controlled substance, to wit, more than 5 grams of cocaine in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a) and
841(b) (1) (B).)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

ERIN L. WALKER

Defendant.

INDICTMENT

IN SENATE

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK

A TRUE BILL

Forfeiture

cc: 01-08-74 (Civil) (KMK)
T. B. B.